



Southeast Fishery Bulletin

National Marine Fisheries Service, Southeast Regional Office, 9721 Executive Center Drive N., St. Petersburg, FL 33702

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Final Rule Extends the Madison-Swanson and Steamboat Lumps Marine Reserves SMALL ENTITY COMPLIANCE GUIDE

The National Marine Fisheries Service (NOAA Fisheries) announces the publication of a final rule to modify the fishing restrictions that apply within the Madison-Swanson sites and Steamboat Lumps marine reserves and extends the period of effectiveness of those restrictions through June 16, 2010. The Madison-Swanson sites and Steamboat Lumps are located in the eastern Gulf of Mexico and encompass a total area of approximately 219 square nautical miles.

Specifically, within these marine reserves, this final rule:

(1) Prohibits the possession of Gulf reef fish year-round, except for possession aboard a vessel in transit with fishing gear appropriately stowed. Transit means non-stop progression through the area; fishing gear appropriately stowed means: (a) A longline may be left on the drum if all gangions and hooks are disconnected and stowed below deck. Hooks cannot be baited. All buoys must be disconnected from the gear; however, buoys may remain on deck; (b) trawls may remain on deck, but trawl doors must be disconnected from the trawl gear and must be secured; (c) gillnets must be left on the drum. Any additional gillnets not attached to the drum must be stowed below deck; (d) rods and reels must be removed from the rod holder and stowed securely on or below deck. Terminal gear (i.e., hook, leader, sinker, flasher, or bait) must be disconnected and stowed separately from the rod and reel. Sinkers must be disconnected from the down rigger and stowed separately.

(2) From November 1 through April 30, all fishing and possession of any fish species is prohibited with exceptions for highly migratory species (billfish, sharks, swordfish and tunas other than blackfin tuna) and for fish possessed aboard a vessel in transit with fishing gear appropriately stowed. Fish means finfish, mollusks, crustaceans, and all other forms of marine animals and plant life other than marine mammals and birds.

(3) From May 1 through October 31, fishing activity is restricted to surface trolling only. Surface trolling is defined as fishing with lines trailing behind a vessel which is in constant motion at speeds in excess of four knots with a visible wake. Such trolling may not involve the use of down riggers, wire lines, planers, or similar devices.

These regulations are intended to protect the spawning aggregations of species within these areas, prevent overfishing, and aid in the evaluation of the effectiveness of marine reserves as a management tool. The effective date of the final rule is June 3, 2004.

NOAA Fisheries prepared a Regulatory Impact Review (RIR) and a Final Regulatory Flexibility Analysis (FRFA) that augments the findings of the FMP's RIR. The FRFA is available from the Fisheries Economics Office, NOAA Fisheries Southeast Regional Office, 9721 Executive Center Drive N., St. Petersburg, FL 33702.

Written copies of the final rule may be obtained from the NOAA Fisheries Southeast Regional Office, 9721 Executive Center Drive N., St. Petersburg, FL 33702. Electronic copies of the final rule may be obtained from the *Federal Register* website at <http://www.gpoaccess.gov/fr/index.html>.

This Small Entity Compliance Guide complies with section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996. Any discrepancies between this document and the rule as published in the *Federal Register* will be resolved in favor of the *Federal Register*.

This and other news releases are available on the Southeast Regional Office homepage at <http://caldera.sero.nmfs.gov/>. NOAA Fisheries is an agency of the Department of Commerce.